

C H A P
XXX.

part with to their several and respective Creditors if they would accept of the same, and grant the said Petitioners their Liberty, which seems so unlikely for them to obtain, that (unless relieved by a particular Act to be passed in their Favour, which, by their said Petitions, they have humbly prayed) they must inevitably continue Prisoners for Life; and, as the Allegations of the said Petitioners, appeared to this General Assembly to be true, and that their lying in Jail can be of no Advantage to their Creditors, it is humbly prayed that the said Petitioners may be relieved according to their Prayers, and that it may be enacted:

Prisoners to be discharged on delivering up their Effects on Oath.

II. And be it enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That in

Case the said Prisoners shall deliver up and surrender, for cause to be delivered up and surrendered, to the Sheriffs of the respective Counties aforesaid, in the Presence of Two Justices of the Peace of the Counties aforesaid, whom the said Sheriffs are hereby required to summon at the Request of the said Prisoners, at some convenient Time after the End of this Session of Assembly, all their real and personal Estate, either in Possession, Reversion, Remainder or in Trust, or in or unto which they have any Claim or Interest whatsoever; and likewise, convey, assign, transfer and make over unto the Sheriffs respectively, for the Use of the said Creditors, all such their Estate, Interest, or Claim as aforesaid, after such Manner as by the said Sheriffs, and by the major Part of such Creditors, or such of them as shall think fit to direct therein, or their Counsel learned in the Law, shall reasonably devise or require, at the Costs and Charges of the Persons who shall claim Benefit thereof, so that the said Prisoners be not burthened with any Warrantes thereby, other than against themselves, or those claiming by, from or under them; and that the said Prisoners, at the Time of such their Surrender and transferring their Estate as aforesaid, shall take their solemn Oaths (or Affirmation if Quakers) before the said Two Justices aforesaid, to the Effect following, viz.

The Oath.

I A. B. do affirm, or solemnly swear, that the Goods, Debts and Effects, which I have delivered, assigned and made over to the Sheriff of County, in Trust, for the Use of my Creditors, is the whole Estate, both real and personal, of my own in Possession, or that I have any Title to in the World, and that I have not any Estate, Goods or Effects of any Kind whatsoever, left, either in Possession, Reversion or Remainder, (the necessary wearing Apparel of myself, Wife and Children, and working Tools, excepted) and that I have not, directly or indirectly, sold, leased or otherwise conveyed, disposed of or intrusted all, or any Part of my Estate, thereby to defraud my Creditors, or to secure the same to receive or expect any Profit or Advantage thereof; So help me GOD; it shall and may be lawful for the Sheriffs of the Counties aforesaid to discharge the said Prisoners, and suffer them to go at large.

To be discharged from future Arrests on Appearance, &c.

III. And be it further enacted, That if the said Prisoners, or any of them, shall be arrested or imprisoned, on any Process sued out on any Judgment, or Decree obtained against any of them, for any Debt, Damages or Costs, contracted, owing or growing due before the End of this Session of Assembly, the Court, out of which such Process issued, shall and may discharge such Prisoner on Motion. And, if the said Prisoners, or any of them, shall be arrested or imprisoned, on any Process for the Recovery of any Debt, Damages or Costs, contracted, owing or growing due, before the End of this Session of Assembly, the Court or Justice before whom such Process shall be returned, shall and may discharge the Party arrested out of Custody, on his or her common Appearance being entered, without any special Bail; Provided, That the Discharge of the said